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**FISCAL IMPACT STATEMENT**

**LS 6033**

**BILL NUMBER: SB 3**

**NOTE PREPARED:** Jan 28, 2003

**BILL AMENDED:**

**SUBJECT:** Automated Traffic Law Enforcement Systems.

**FIRST AUTHOR:** Sen. Adams K

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** This bill has the following provisions:

(1) allows certain local government entities to adopt ordinances under which the owner of a motor vehicle commits a violation when an automated traffic law enforcement system produces a recorded still photographic image of a motor vehicle or a vehicle being drawn by a motor vehicle proceeding through an intersection contrary to the requirement to stop at a red light;

(2) establishes defenses that may be raised in proceedings to enforce the ordinances;

(3) provides that the ordinances: (a) may not impose civil penalties of more than \$100; and (b) may be enforced through local ordinance violation bureaus or infraction and ordinance violation enforcement proceedings;

(4) specifies that the ordinances must require local police officers to review the recorded images;

(5) provides that the ordinances may not provide for the payment of compensation to vendors of the automated systems on the basis of: (a) the number of recorded images; (b) the number of citations issued; or (c) the amount of revenue generated;

(6) allows ordinances to provide for the mailing of warning notices instead of imposing civil penalties; and

(7) makes conforming changes

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (1) The specific fiscal impact of this provision will depend upon the type of program implemented and the extent to which the local unit is required to purchase and maintain the equipment, along with the anticipated revenue stream.

“Automated traffic law enforcement system” means a device that has one or more motor vehicle sensors working in conjunction with a traffic control signal that exhibits a steady red light or an illuminated flashing red light and that is capable of producing a photographically recorded image of a motor vehicle’s rear license plates, as the vehicle proceeds through an intersection.

*Background Information:* The City of New York has a program which utilizes cameras to record violations of motorists proceeding through the intersection, contrary to the requirement to stop at a red light. This type of program is commonly referred to as a "Red Light Running program." In this program, the City of New York has contracted with Electronic Data Systems (EDS) who supplies and maintains the system. For this, EDS receives a portion of each fine assessed from the Red Light Running program. The City of New York receives the rest. Potential costs include the red light camera and sensors. The Federal Highway Administration (FHWA) estimates that a red light camera costs approximately \$50,000. Installation and sensors cost about \$5,000.

In addition, the bill requires local authorities to install advance warning signs along the roadway proceeding to the intersection at which an automated camera is installed. The estimated fiscal impact for the signs will depend upon the number of signs needed. The cost for one sign is \$84.96.

(2) The bill also establishes certain defenses that may be raised in a proceeding to enforce an ordinance concerning automated traffic law enforcement systems. Any additional fiscal impact which may occur because of the newly established system can be addressed with current resources for both law enforcement and prosecution of cases.

(4) The specific fiscal impact will depend upon the number of reviews which occur and the time involved.

(5) The bill also places prohibitions on the local units regarding how vendor contracts may be structured and could impact expenditures associated with the implementation of the new system.

(6) The bill also permits the mailing of notices, which would add to the mailing costs of local units. The impact will depend upon the number of such mailings.

(7) The bill also makes conforming changes which will have no fiscal impact.

**Explanation of Local Revenues:** (3) Local revenue will depend upon the design and implementation of the specific programs and ordinances and will vary by locality.

**State Agencies Affected:**

**Local Agencies Affected:** Those units who participate in the red light running program.

**Information Sources:** John R. Di Lavore, Director Red Light Camera Study Program, City of New York, 718-786-2233; Federal Highway Administration Web page.

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